

03/04/13
10:30

Pima County Sheriff's Department
Law Supplemental Narrative:

7491
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Incident Number: 110108078 Name: Powell,Anthony
Sequence Number: 106 Date: 20:02:35 01/10/11

Narrative

Supplement Dictated by M. E. Ford #5270 on 01/10/11 at 1901 hrs.
Total Dictation Time = 25:42 mins.
Total Narrative Dictation Time = 25:21 mins.

On Monday, 01/10/11 at approximately 0930 hours, per Sergeant J. D. Grisham's #1223 instructions I returned to the scene located at the Safeway located at 7110 North Oracle Road. Myself and multiple other detectives were advised that we would be assisting Federal Bureau of Investigation (FBI) agents in conducting a line walk throughout the parking lot at the location in an attempt to locate any further evidence.

We proceeded to conduct the line walk at approximately 0940 hours. Prior to doing so, I assured to sign my name on the crime scene log with Deputy T. Senne #5700. During the course of the line walk, I assisted with searching the exterior of a red Honda passenger car bearing Arizona License Plate #AAN8990, a white Ram 2500 pickup bearing Arizona License Plate #CD05898, a white Mitsubishi bearing Arizona License Plate #AKK9794, a gray Ford Fusion bearing Arizona License Plate #AGX3761, a gray Chevrolet Suburban bearing Arizona wheel chair License Plate #BMM68, and a silver Toyota bearing Arizona License Plate #ABJ1613.

During the course of the line walk, I also assisted with searching carts that were stacked along the Safeway wall between the north and south entrances with FBI agents.

Once the line walk was completed, it was requested of me by an FBI agent, who provided me with keys to a minivan bearing Arizona License Plate #459VWV, to enter and drive the van to the north side of Walgreens in order to turn it over to the owner. She identified the owner as Mary Reed and her husband, Thomas McMahon, and they were there waiting for the vehicle. I did as she requested and made contact with Mr. McMahon and ensured that he had my contact information from when I interviewed him at St. Mary's Hospital on Saturday. He advised that he did so and took control of the vehicle and left the area.

Once I completed this task, Sergeant Grisham advised that he would need me and Detective M. H. Valencia #897 to accompany FBI agents, to include Special Agent Lee Roy Hoiliand, Badge #20894, to the Loughner residence located at [REDACTED]. We were advised that Deputy A. M. Arizpuru #1384 would be assisting as uniform support.

I arrived at the Loughner residence at approximately 1220 hours. I had it explained to me by Agent Hoiliand that the reason that we were at the residence was due to information that there was possibly a black backpack

that Jared Loughner had in his possession prior to the incident that the whereabouts were unknown. He stated that he wanted to ensure that the backpack had not been left at the residence.

Upon approaching the residence we found that the walkway leading from the carport to the front door had been obviously barricaded with a large piece of wood. Items in the yard had been maneuvered to prevent easy access to the front door. Special Agent Hoiliand then proceeded to knock on the window closest to the barricaded area in order to attempt to make contact with anyone inside. This was at approximately 1225 hours. At approximately 1228 hours, a male subject called out to us from a gate directly to the north of the carport, which appeared to lead into the backyard, asking who we were.

Special Agent Hoiliand and I provided him with our credentials and requested that he would allow us to speak with him inside. He proceeded to allow us inside the gate then immediately locked the gate. He identified himself as Randy Loughner. Mr. Loughner allowed Special Agent Hoiliand and I to enter the residence in which we began speaking in the kitchen area. Mr. Loughner was obviously upset and stated that he wanted to tell his wife, Amy, who was inside the house. He proceeded to speak with her in the bedroom area as Special Agent Hoiliand and I stood by.

Mr. Loughner returned to us and began telling us that media personnel have been harassing him greatly since this incident occurred on Saturday. They had gone so far as this morning trespassing into his backyard area by jumping over his back wall. He stated that he believed once the media personnel had utilized a pole cam to photograph a Halloween decoration of his. Another one of the media personnel had actually jumped into his backyard in order to photograph the Halloween decoration.

Mr. Loughner explained further by saying that he has a veranda in his backyard that covers exotic plants and he had the entire veranda covered with blankets due to the freezing temperatures of recent nights. He decided this morning that he would remove the blankets because he had nothing to hide. He stated that he caught the female media personnel in his backyard and proceeded to yell from his back sliding door for her to get off the property or he would release his dog. She proceeded to take his ladder and lean it against the back wall, then use it to climb over the wall.

Mr. Loughner requested that Special Agent Hoiliand and I go with him into the backyard where he could show us imprints of the ladder and where the skull was at that was now circulating in the news. He showed us two imprints into the dirt floor that were obvious indentations from the ladder that he had already stowed away prior to our arrival. He also proceeded to show us where the skull was at in his backyard again stating that the skull was a Halloween decoration and nothing more.

Special Agent Hoiliand was very familiar with the entire exterior and interior of the residence due to having served the search warrant on Saturday at the residence. He advised Mr. Loughner that he was aware of all the coverings on the veranda and knew that it would be difficult for anyone to photograph it until after he had taken the sheets down.

We then re-entered the residence and Special Agent Hoiliand requested that Mr. Loughner explain to us what had occurred prior to the incident. Mr. Loughner went on to say that he and his wife had noticed that Jared was not acting quite right recently and believed it to have started when he was kicked out of Pima Community College for a YouTube video he had created. He stated that he had become more and more distant from them and he would not communicate with Mr. Loughner about much of anything. He had become increasingly concerned for Jared and began to disable Jared's Nova that was parked out front to prevent Jared from being able to drive anywhere at night.

Mr. Loughner stated that on Friday, 01/07/11, he had not disabled the vehicle and was up in the early morning hours on Saturday. He heard Jared drive the vehicle away at what he believed to be approximately 0600 hours. He stated that Jared returned to the residence between the hours of 0700 hours and 0800 hours. He looked outside of his front window and saw Jared take what appeared to be a black backpack out of the trunk of his Nova. He stated that as Jared began to approach the residence, he could see that it was obvious that there was something placed inside of the front pockets of the hoodie sweatshirt that Jared was wearing.

At this time, Ms. and Mr. Loughner were sitting in the kitchen area to where the side door enters. Mr. Loughner noted that is the entrance that he and his family regularly use. Once Jared entered into the kitchen area, he stopped, looked at Mr. Loughner, and asked, "what's up?" Mr. Loughner stated that he replied by saying, what is up with you, what is in the bag, what is in your pocket. Jared proceeded to turn around immediately and "bolt" out of the residence and onto Soledad. Mr. Loughner stated that he chased after Jared, but was unable to catch him on foot; therefore, retrieved his keys to his vehicle. He began driving the neighborhood in an attempt to locate Jared noting that Jared knows the neighborhood very well as they have lived there all of his life.

Mr. Loughner stated that he believed that Jared had run northbound utilizing a drainage ditch to get to Magee where he then found Jared walking along Magee Road towards Thornydale. Once Jared saw Mr. Loughner in his vehicle, he proceeded to run through the desert area. Mr. Loughner stated that he exited his vehicle and attempted to run after Jared, but again was unable to catch up to him. He then returned to his vehicle and returned home.

Mr. Loughner and his wife were very concerned about Jared; however, he did not feel that they had enough to contact law enforcement regarding his behavior as they had no idea what exactly he had been up to recently due to the lack of communication. Mr. Loughner was adamant that he had never seen Jared with that black backpack before and Jared had ran with the backpack out of the house.

Special Agent Hoiliand requested that Mr. and Ms. Loughner give us consent to walk through the house in an attempt to possibly locate any other items of evidentiary interest. Mr. and Ms. Loughner agreed to allow us to do so. They completed consent to search form that Special

Agent Hoiliand provided to them. We then began to walk throughout the house.

Once we entered the living room area, at 1330 hours I noted that there was a brown and black backpack laying underneath one of the tables. I inquired of Special Agent Hoiliand if anyone had already searched that bag and he stated that he was not sure. I requested of Mr. and Ms. Loughner to allow us to look into in which they stated that we could. Upon opening the backpack, we found that there were items inside of it indicating the bag belonged to Ms. Loughner. However, there were also items in it indicating that Jared had used it at one point, specifically video games and music compact discs.

I located two spiral notebooks inside of the bag. One having a red cover and the other not having a cover at all except for the brown backing. They had numerous entries of writing into them that were obviously made by Jared as he had signed his name throughout the notebooks. Special Agent Hoiliand and I set these items aside and continued to walk through the residence with Mr. and Ms. Loughner.

NOTE: I located the backpack at 1330 hours.

We walked throughout the rest of the residence, including Jared's bedroom, and did not locate any other items of interest. We then returned to the spiral notebooks. Special Agent Hoiliand and I examined the entries inside noting that Jared had made numerous entries regarding violent acts, about not being in the right state of his mind, and being in a dream state. We inquired of Mr. and Ms. Loughner if they knew when he had used these notebooks and they were unsure. I noted there were entries regarding Jared stating that he had decided to no longer attend school as well as entries regarding his employment at Eddie Bauer. Mr. and Ms. Loughner confirmed that he had worked at Eddie Bauer for approximately one year, but had been let go, which upset him greatly as he had not been able to find employment afterwards.

Special Agent Hoiliand requested Mr. and Ms. Loughner allow us to take the two spiral notebooks as evidence and they agreed to do so. Special Agent Hoiliand filled out an FBI property receipt form listing the two spiral notebooks on it, which Mr. Loughner signed and received copies of. At this time, we were advised that multiple media personnel had now gathered in the street of Soledad and had been given access to the backyard of the neighbor to the north. We then advised Mr. Loughner. He advised me that he had spoken with Lieutenant D. E. Theel #860 of the Foothills District Office regarding the media personnel who had trespassed onto his property earlier today.

Special Agent Hoiliand requested that Mr. Loughner allow him to photograph the indentations made by the ladder in the backyard as well as the general area of where the skull had been prior to us leaving. Mr. Loughner allowed him to do so as I stood by. Once we had completed the walk through of the residence and removed only the two spiral notebooks, Mr. Loughner escorted us to the same side gate that we had entered through and thanked us for our time. We exited through the side gate and he proceeded to lock the gate behind us. We then left the area.

NOTE: Mr. Loughner requested that a patrol unit conduct periodic checks at his residence as he was concerned that the media personnel would again violate his privacy and trespass onto his property. I advised him that I would make contact with the supervisor of the Foothills District and ensure that they were doing so. After leaving the residence, I made contact with Deputy G. Foist #5514, who was the acting supervisor at the time, and advised him of Mr. Loughner's request. He advised that deputies had already been conducting periodic checks at the residence per Lieutenant Theel's instructions.

The FBI agents, Deputy Arizpuru, Detective Valencia, and I left the Loughner's residence at 1415 hours and responded back to the scene located at the Safeway at Oracle and Ina. Upon my arrival there, I made contact with Sergeant Grisham and briefed him on our interaction with Mr. and Ms. Loughner at their residence.

I also made contact Homicide Sergeant J. O. Lopez #755 and briefed him as well. After speaking with Sergeant Lopez, it was decided that myself and several other detectives from Pima County Sheriff's Department, as well as several FBI agents, would respond to the area of Magee and Thornydale. We would search the desert area north of Magee along Thornydale in an attempt to locate the black backpack. This was due to it being confirmed that Jared did not have the black backpack in his possession at the Circle K where he was picked up by the cab driver or at the scene of the incident.

Detective B. W. Judd #1296, three FBI agents and I responded to the post office located on Thornydale just south of Magee at approximately 1555 hours. We made contact with Detective S. R. Tzystuck #5087 there and began our search of the desert area.

During the course of our search, I made contact with the employee at the Valero, store #1624, located on the southwest corner of Cortaro and Thornydale. She provided her manager's name of "Denny" and provided store phone [REDACTED]. She advised that Denny worked from 0300 hours to 1300 hours and she would be in the following morning. I inquired of their surveillance that they have at the store. She advised that they only have camera that pointed towards the front doors from the south to the north. She stated that she believed her manager would be able to pull up any surveillance we would need. I provided my name and phone number to the employee and requested that she have the manager contact me regarding the footage.

An FBI agent and I responded to the Wells Fargo located on the southeast corner of Cortaro and Thornydale. We made contact with Nicci at 1550 hours, who advised that FBI agents had already contacted their security personnel for any surveillance footage that might have shown Jared in the area prior to being picked up at the Circle K.

The other personnel present and I then proceeded to search along the desert area on the east side of Thornydale, returning to Magee, then the post office at approximately 1720 hours. Once we had returned to the post office, I then made contact with Sergeant Grisham and advised him that we had not located the backpack along the area.

Detective Judd and I then responded to the Sheriff's Administration Building where I made contact with Sergeant Lopez and advised him that we had not located the backpack there. Sergeant Lopez then requested that I make contact with victim, Bill Badger (DOB [REDACTED]), to inquire if there was anything he wanted to add to his statement that I received from him on Saturday, 01/08/11.

I made contact with Mr. Badger at his home telephone number. Mr. Badger wanted to stress that he was not upset with Sheriff C. W. Dupnik #1 or the Sheriff's Department, but was concerned about some of the diagrams that were being shown on the news stations. Mr. Badger did not have anything new to add to his account of the incident from his initial statement. I ensured that Mr. Badger had my contact information and we ended our conversation. I briefed Sergeant Lopez of my conversation with Mr. Badger.

This concludes my involvement.

NFI

Transcribed by #7157 on Mon Jan 10 21:54:45 MST 2011